



HARBOR COMMISSION BOARD MEETING

Minutes

July 26, 2022

5:00 PM

Coastal Gateway Building

3900 Avila Beach Drive, Avila Beach, CA 93424

MINUTES

CALL TO ORDER / PUBLIC COMMENT

Call to Order: President Brandy called the Meeting to order at 5:10 PM.

Commissioners Present Drew Brandy, Mary Matakovich, Bob Vessely, Bill Barrow, and Jim Blecha

Commissioners Absent: None

Staff Present Suzy Watkins, Harbor Director; Jennifer Dance, Business Manager

Legal Counsel Present Ty Green

Public Comment: President Brandy called for public comment on the Closed Session items, of which there were none.

ADJOURN TO CLOSED SESSION

President Brandy adjourned to Closed Session at 5:12 PM.

Pursuant to Government Code §54957.6: Conference with labor negotiators. Agency designated representatives: Harbor Director, Suzy Watkins; Legal Counsel, Jeff Minnery. Employee Organization: Service Employees International Union, Local 620.

Pursuant to Government Code §54957.6: Conference with labor negotiators. Agency designated representative: Harbor Director, Suzy Watkins. Employee Organization: Port San Luis Harbor Patrol Officers Association.

Pursuant to Government Code §54956.9(d)(1): Conference with District Counsel regarding existing litigation in the matter of *Lowry v. Port of San Luis Harbor District*.

Pursuant to Government Code §54956.9(d)(1): Conference with District Counsel – pending litigation in the matter of *Andrea Lueker v. Port San Luis Harbor District, et al.*, SLO Superior Court Case No. 22CV-0317.

ADJOURN TO OPEN SESSION

The Board ended Closed Session, and President Brandy reconvened the Meeting to Open Session at 6:07 PM.

Report on Closed Session:

President Brandy stated there is nothing to report.

ROLL CALL / PUBLIC COMMENT

<u>Commissioners Present</u>	Drew Brandy, Mary Matakovich, Bob Vessely, Bill Barrow, and Jim Blecha
<u>Commissioners Absent:</u>	None
<u>Staff Present</u>	Suzy Watkins, Harbor Director; Jennifer Dance, Business Manager; Chris Munson, Facilities Manager; Matt Ashton, Chief Harbor Patrol Officer; Phil Sexton, Treasurer; Linda Hendy, Accountant
<u>Legal Counsel Present</u>	Ty Green

Public Comment: President Brandy called for public comment on items not on the agenda, and the following commented:

- **Tom Swem**, Port Captain, Port San Luis Yacht Club
 - **Ron Pigeon**, Resident of Arroyo Grande
 - **Axel Reich**, San Luis Obispo
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Harbor Patrol Officer Kyle Shaffer demonstrated the design features of the Oregon City Overt Carrier armor vest, made by Safariland, LLC.

PRESENTATION

Adopt Resolution 22-13 to Commend and Thank Shirley Goetz

Resolution 22-13: The Board each read a section of the Resolution, naming several of Shirley Goetz's accomplishments through her volunteer work on the Monofilament Fishing Line Recycling Program. Commissioner Brandy moved to adopt Resolution 22-13, recognizing Shirley Goetz for exemplary work and dedication to the Harbor District; seconded by Commissioner Vessely. Resolution 22-13 was adopted by a roll call vote of 5-0.

CONSENT ITEMS

- A. Activity Report:** June 2022; receive and file.
 - B. Treasurer's Report:** May 2022; receive and file.
 - C. Monthly Payables:** June 2022 check register; receive and file.
 - D. Minutes:** June 28, 2022, Minutes; recommend approval.
 - E. 2021/22 Discretionary Funds:** Report of 2021/22 Discretionary Funds use; receive and file.
 - F. 2021/22 Employee Reimbursements:** Receive and file; no action required.
 - G. 2022 Post Dredge Summary:** Receive and file.
 - H. Avila Pier Project Update:** Receive and file.
 - I. Avila Pier Engineering Assistance:** Review proposal; recommend approval.
 - J. Avila Pier Utility Design Contract Amendment:** Review amendment; recommend approval.
 - K. Commercial Fishermen's Gear Storage Permit:** Review permit updates; recommend approval.
 - L. Update of Policy Handbook:** Receive and file the following Policies: 1010 – Adoption / Amendment of Policies; 2080 Employee Status.
 - M. Avila Pier Repair Materials:** Screws: Review quotes; recommend approval.
 - N. Budget Adjustment:** Revetment and Jetty Repair Project - CEQA Consulting: Review adjustment; recommend approval.
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THE FOLLOWING CONSENT ITEMS WERE COMMENTED ON:

B. Treasurer's Report: May 2022; receive and file.

K. Commercial Fishermen's Gear Storage Permit: Review permit updates; recommend approval

M. Avila Pier Repair Materials: Screws: Review quotes; recommend approval.

Public Comment: President Brandy called for public comment, and there were none.

Action: Commissioner Blecha moved to approve Consent Items A through N; seconded by Commissioner Barrow. Motion passed 5-0.

DISCUSSION ITEMS

A. Harford Pier Site Plan Status: Receive report and provide direction to staff.

Harbor Director Suzy Watkins presented the Staff Report and answered questions of the Board.

Facilities Manager Chris Munson answered questions of the Board.

Public Comment: President Brandy called for public comment, and the following commented:

- Steve Conrad, resident of Arroyo Grande
- Doug Morris, resident of San Luis Obispo
- Tom Swem, San Luis Obispo

Action: It was the consensus of the Board to request a canopy repair plan from Moffat and Nicol and to proceed with submitting a general Coastal Development permit for the restaurant remodel and canopy rebuild.

B. Pier Pile Repair Request for Proposals (RFP) Award: Review proposals and Staff recommendations; recommend approval.

Facilities Manager Chris Munson presented the Staff Report and answered questions of the Board.

Commissioner Vessely complimented Facilities Manager Chris Munson on a well-written RFP.

Public Comment: President Brandy called for public comment, and there was none.

Action: Commissioner Vessely moved to authorize Harbor Director, or designee, to execute a contract with Subsea Global Solutions in an amount up to \$625,000 to perform pile repairs for Avila Pier; seconded by Commissioner Matakovich. Motion passed 5-0.

C. 2022/23 Appropriation Limit: Approve Limit; adopt Resolution 22-14.

Harbor Director Suzy Watkins presented the Staff Report and answered questions of the Board.

Public Comment: President Brandy called for public comment, and there was none.

Action: Commissioner Blecha moved to adopt Resolution 22-14 and waived the reading; seconded by Commissioner Matakovich. Resolution 22-14 was adopted by a roll call vote of 5-0.

D. Regional Planning Update: Review staff recommendations; recommend approval.

Harbor Director Suzy Watkins presented the Staff Report and answered questions of the Board.

Public Comment: President Brandy called for public comment, and there was none.

Action: It was the consensus of the Board to delegate President Brandy and Commissioner Vessely to form the Regional Planning Update Ad Hoc Committee.

E. Update of Policy Handbook: Review and approve proposed updates to the following Policies: 1075 Sponsorship; 2100 – Vehicle Cost Reimbursement; 2140 – Advancement of Wages

Harbor Director Suzy Watkins presented the Staff Report and answered questions of the Board.

Public Comment: President Brandy called for public comment, and there was none.

Action: President Brandy moved to approve Policy 1075 – Sponsorship; seconded by Commissioner Barrow. Motion passed 4-1.

- Aye President Brandy
- No Commissioner Matakovich
- Aye Commissioner Vessely
- Aye Commissioner Barrow
- Aye Commissioner Blecha

Commissioner Vessely moved to approve Policy 2100 – Vehicle Reimbursement with the additional sentence of “Proof of a valid Driver’s License is required” to subsection 2100.70; seconded by Commissioner Barrow. Motion passed 5-0.

Commissioner Barrow moved to approve Policy 2140 – Advancement of Wages; seconded by Commissioner Blecha. Motion passed 5-0.

COMMUNICATIONS

Commissioner Barrow notified the Board that he has been attending meetings on the offshore wind farms and will brief the newly formed Regional Planning Update Ad Hoc Committee with updates.

Commissioner Vessely briefed the Board on the Nuclear Regulatory Commission (NRC) Meeting for elected officials only and the Diablo Canyon Power Plant Post Shutdown Decommissioning Activities.

Commissioner Blecha shared his dismay at seeing the political flags posted by the patrons at our campsites. Legal Counsel Ty Green responded that it’s a First Amendment issue, and we may not have the jurisdiction to regulate a public campground.

Commissioner Matakovich thanked Harbor Director Suzy Watkins and Port Staff for partaking in the Avila Beach Annual 4th of July Breakfast and festivities sponsored by the Avila Beach Community Center. She also commended Chief Harbor Patrol Matt Ashton on a job well done preventing illegal fireworks; she did not hear any this year.

Commissioner Matakovich serves on the Avila Valley Advisory Council and is part of the subcommittee on Envision Avila. This subcommittee has a section of their plan that has to do with permitting. She relayed that she gave a copy of this section to Facilities Manager Chris Munson to review for edits and suggestions.

Commissioner Barrow inquired with Facilities Manager Chris Munson on the status of the public showers that are out of order. Chris Munson replied that his department is looking into different solutions to minimize the vandalism of the shower rooms.

Harbor Director Suzy Watkins briefed the Board on the NRC meeting she attended; concerns were expressed on the closure plan and the continuation of the operations.

Harbor Director Suzy Watkins attended the sailboat races at the Morro Bay Yacht Club and observed their sailboat hoist operation for knowledge to use later when forming the Harbor Pier plan.

Harbor Director Suzy Watkins informed the Board that she is attending the CSDA conference during the week of the next Board of Commissioner meeting in August and will not be present.

President Brandy requested that the Property Committee Meeting occur on Thursday, August 18.

FUTURE AGENDA ITEMS

Identification of items to be placed on future Agendas:

- **August 2022:** Draft 2023 License to do Business on District Property Request for Proposals
 - **September 2022:** Discuss / reconfirm the discontinued Seasonal Fire Ring Program
 - **September 2022:** Harbor Patrol Department Budget Adjustment re: purchase of Oregon City Overt Carrier Armored Vest
 - **November 2022:** Approval of 2023 License Renewals and new License Proposals
 - **Ongoing:** Port San Luis Harbor District Policy Update
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ADJOURNMENT

The Meeting adjourned at 8:37 PM to the next regularly scheduled Meeting on Tuesday, August 23, 2022, at 6:00 PM.



Mary Matakovich, Vice President

Attest: 

Bob Vessely, Secretary